



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date: June 9, 2004

Landau et al.

Serial No. : 10/756,945      Our Docket No. : BJT 334A  
Filed : January 13, 2004  
For : NEEDLE-FREE INJECTION SYSTEM

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

Sir:

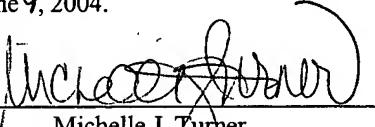
**SUBMISSION OF DECLARATION AND POWER OF ATTORNEY FORM**

In response to the Notice of Missing Parts of Application (copy enclosed) dated April 16, 2004, applicants are submitting herewith an executed Declaration and Power of Attorney form.

Enclosed is a check for \$65.00 (small entity) covering the surcharge fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 11-1540. A duplicate of this document is enclosed.

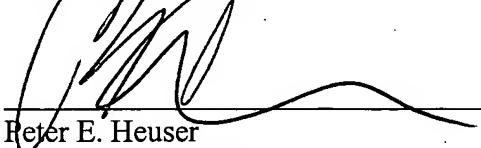
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, Virginia 22313 on June 9, 2004.

  
\_\_\_\_\_  
Michelle J. Turner  
Date of Signature: June 9, 2004

PEH:mjt  
Enclosures

Respectfully submitted,  
**KOLISCH HARTWELL, P.C.**

  
\_\_\_\_\_  
Peter E. Heuser  
Customer No. 23581  
Registration No. 27,902  
Of Attorneys for Applicants  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
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**DECLARATION FOR PATENT APPLICATION**  
English Language Declaration

As a below-named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**NEEDLE-FREE INJECTION SYSTEM**

the specification of which

       is attached hereto, or  
X was filed on January 13, 2004 as U.S. Patent Application Serial No.10/756,945.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including, for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and also have identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed?	Certified Copy Attached?

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**DIRECT COMMUNICATIONS TO:**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: Sergio Landau

Inventor's signature:



Date: 5/21/2004

Residence:

Laguna Niguel, California

Citizenship:

United States of America

Post Office Address: 49 South Peak Drive, Laguna Niguel, California 92677

Full name of second joint inventor: Daniel E. Williamson

Inventor's signature:



Date: \_\_\_\_\_

Residence:

Sherwood, Oregon

Citizenship:

United States of America

Post Office Address: 23765 SE Brittany Lane, Sherwood, Oregon 97140

Full name of third joint inventor: John R. Marshall

Inventor's signature:



Date: \_\_\_\_\_

Residence:

Beaverton, Oregon

Citizenship:

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Post Office Address: 16693 NW Meadowgrass Court, Beaverton, Oregon 97006

punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: Sergio Landau

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Laguna Niguel, California

Citizenship: United States of America

Post Office Address: 49 South Peak Drive, Laguna Niguel, California 92677

Full name of second joint inventor: Daniel E. Williamson

Inventor's signature: Daniel E. Williamson Date: 5/21/04

Residence: Sherwood, Oregon

Citizenship: United States of America

Post Office Address: 23765 SE Brittany Lane, Sherwood, Oregon 97140

Full name of third joint inventor: John R. Marshall

Inventor's signature: John R. Marshall Date: 5/21/04

Residence: Beaverton, Oregon

Citizenship: United States of America

Post Office Address: 16693 NW Meadowgrass Court, Beaverton, Oregon 97006

**POWER OF ATTORNEY,  
STATEMENT UNDER 37 C.F.R. § 3.73(b), and  
ASSERTION OF RIGHT UNDER 37 C.F.R. § 3.71 AND MPEP § 106**

Applicant(s): Sergio Landau, Daniel E. Williamson, John R. Marshall  
 Serial No.: 10/756,945  
 Filed: January 13, 2004  
 Title: NEEDLE-FREE INJECTION SYSTEM

Bioject Inc., an Oregon corporation, hereby appoints the practitioners at Kolisch Hartwell, P.C., USPTO Customer No. 23581, as its attorneys and agents to prosecute the above-identified patent application and to transact all business in the United States Patent and Trademark Office connected therewith. These practitioners currently include:

J. Pierre Kolisch, Reg. No. 15,802; John M. McCormack, Reg. No. 26,948; Peter E. Heuser, Reg. No. 27,902; David P. Cooper, Reg. No. 33,372; Pierre C. Van Rysselberghe, Reg. No. 33,557; Walter W. Karnstein, Reg. No. 35,565; Charles H. DeVoe, Reg. No. 37,305; David S. D'Ascenzo, Reg. No. 39,952; Owen W. Dukelow, Reg. No. 41,002; James R. Abney, Reg. No. 42,253; Mark D. Alleman, Reg. No. 42,257; M. Matthews Hall, Reg. No. 43,653; Christopher S. Tuttle, Reg. No. 41,357; B. Anna McCoy, Reg. No. 46,077; Ellen M. Gonzales, Reg. No. 44,128; Jason C. Creasman, Reg. No. 51,587; Edward B. Anderson, Reg. No. 30,154; Peter D. Sabido, Reg. No. 50,353; John D. Russell, Reg. No. 47,048; Douglas W. McArthur, Reg. No. 50,795; Stanley M. Hollenberg, Reg. No. 47,658; and Anton E. Skaugset, Reg. No. 38,617.

Bioject Inc. states, under 37 C.F.R. § 3.73(b), that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from each of the inventor(s) named in the above-identified patent application. Copies of assignments or other documents in the chain of title are attached.

Bioject Inc. hereby asserts its right, under 37 C.F.R. § 3.71 and MPEP § 106, to conduct the prosecution of the above-identified patent application to the exclusion of the named inventor(s) and any previous assignee(s).

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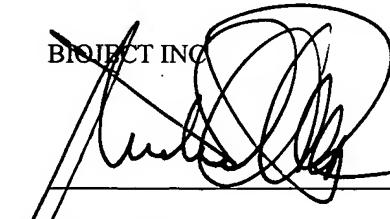
Telephone: (503) 224-6655  
 Facsimile: (503) 295-6679  
 E-Mail: heuser@khpatent.com

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The undersigned (whose title is supplied below) is authorized to act on behalf of the above-identified assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 1, 2004



Name: Mike Temple  
 Title: Executive Vice President & General Manager